

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	
Table of Allotments,	)	
FM Broadcast Stations.	)	
(Crystal Falls, Michigan)	)	MB Docket No. 04-370
	)	RM-11081
	)	
(Laona, Wisconsin)	)	MB Docket No. <u>04-371</u>
	)	RM-11082
	)	
(Blythe, California)	)	MB Docket No. 04-388
	)	RM-11089
	)	
(Celoron, New York)	)	MB Docket No. 04-390
	)	RM-11091
	)	
(Wells, Texas)	)	MB Docket No. 04-391
	)	RM-11092

**REPORT AND ORDER**  
**(Proceedings Terminated)**

**Adopted: June 8, 2005**

**Released: June 10, 2005**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it *Notices of Proposed Rule Making*, specified below, setting forth five separate proposals to allot an FM channel to a specific community. In each proceeding, the petitioner filed comments in support of its proposal reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as originally proposed. These are as follows:

**A. MB Docket No. 04-370; RM-11081**

**Action:** At the request of Results Broadcasting of Iron Mountain, Inc., we are allotting Channel 280C2 at Crystal Falls, Michigan, as the community's third local aural transmission service.<sup>1</sup>

<sup>1</sup> *Crystal Falls, Michigan, and Laona, Wisconsin*, 19 FCC Rcd 18,562 (MB 2004).

**Coordinates:** The reference coordinates for Channel 280C2 at Crystal Falls are 45-57-22 NL and 88-33-46 West Longitude.

**Additional Information:** This allotment requires a site restriction of 24.3 km (15.1 miles) southwest of Crystal Falls at the coordinates indicated above. Concurrence in the allotment is required because the proposed allotment is located within 320 kilometers (199 miles) of the U.S.-Canadian border. Although Canadian concurrence has been requested, notification has not been received. If a construction permit for Channel 280C2 at Crystal Fall, Michigan, is granted prior to receipt of formal concurrence by the Canadian government, the authorization will include the following condition: "Operation with the facilities specified herein for Crystal Falls, Michigan, is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the Canada-United States FM Broadcast Agreement, or if specifically objected to by Industry Canada."

**FCC Contact:** Deborah A. Dupont, (202) 418-7072.

**B. MB Docket No. 04-371; RM-11082**

**Action:** At the request of Results Broadcasting of Iron Mountain, Inc., we are allotting Channel 272C3 at Laona, Wisconsin, as the community's first local FM transmission allotment.<sup>2</sup>

**Coordinates:** The reference coordinates for Channel 272C3 at Laona are 45-39-30 NL and 88-43-20 West Longitude.

**Additional Information:** This allotment requires a site restriction of 11.1 km (6.9 miles) north of Laona at the coordinates indicated above. Concurrence in the allotment is required because the proposed allotment is located within 320 kilometers (199 miles) of the U.S.-Canadian border. Although Canadian concurrence has been requested, notification has not been received. If a construction permit for Channel 272C3 at Laona, Wisconsin, is granted prior to receipt of formal concurrence by the Canadian government, the authorization will include the following condition: "Operation with the facilities specified herein for Laona, Wisconsin, is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the Canada-United States FM Broadcast Agreement, or if specifically objected to by Industry Canada."

**FCC Contact:** Deborah A. Dupont, (202) 418-7072.

**C. MB Docket No. 04-388; RM-11089**

**Action:** At the request of Linda A. Davidson, we are allotting Channel 239B at Blythe, California, as the community's second local aural transmission service.<sup>3</sup>

<sup>2</sup> *Id.*

<sup>3</sup> *Blythe, California, Boyce, Louisiana, Celoro, N.Y., New York, and Wells, Texas*, 19 FCC Rcd 19,493 (MB 2004).

**Coordinates:** The reference coordinates for Channel 239B at Blythe are 33-37-02 NL and 114-35-20 West Longitude.

**Additional Information:** This allotment can be made without site restriction at the center city coordinates indicated above. Concurrence in the allotment is required because the proposed allotment is located within 320 kilometers (199 miles) of the U.S.-Mexican border. Although Mexican concurrence has been requested, notification has not been received. If a construction permit for Channel 239B at Blythe, California, is granted prior to receipt of formal concurrence by the Mexican government, the authorization will include the following condition: "Operation with the facilities specified herein for Blythe, California, is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the Mexico-United States FM Broadcast Agreement, or if specifically objected to by the Government of Mexico."

**FCC Contact:** Deborah A. Dupont, (202) 418-7072.

**D. MB Docket No. 04-390; RM-11091**

**Action:** At the request of Dana J. Puopolo, we are allotting Channel 237A at Celoron, New York, as the community's first local aural transmission service.<sup>4</sup>

**Coordinates:** The reference coordinates for Channel 237A at Celoron are 42-06-24 NL and 79-16-53 West Longitude.

**Additional Information:** This allotment requires a site restriction of 0.4 km (0.2 miles) southeast of Celoron at the coordinates indicated above. Concurrence in the allotment is required because the proposed allotment is located within 320 kilometers (199 miles) of the U.S.-Canadian border. Although Canadian concurrence has been requested, notification has not been received. If a construction permit for Channel 237A at Celoron, New York, is granted prior to receipt of formal concurrence by the Canadian government, the authorization will include the following condition: "Operation with the facilities specified herein for Celoron, New York, is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the Canada-United States FM Broadcast Agreement, or if specifically objected to by Industry Canada."

**FCC Contact:** Deborah A. Dupont, (202) 418-7072.

**E. MB Docket No. 04-391; RM-11092**

**Action:** At the request of Charles Crawford, we are allotting Channel 254A at Wells, Texas, as the community's second local aural transmission service.<sup>5</sup>

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

**Coordinates:** The reference coordinates for Channel 254A at Wells are 31-29-35 NL and 94-57-20 West Longitude.

**Additional Information:** This allotment requires a site restriction of 1.6 km (1.0 miles) west of Wells at the coordinates indicated above.

**FCC Contact:** Deborah A. Dupont, (202) 418-7072.

2. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the General Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. §801(a)(a)(A).

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective July 25, 2005, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the communities listed below, as follows:

<u>Community</u>	<u>Channel Number</u>
Blythe, California	239B, 262B
Crystal Falls, Michigan	235A, 264C1, 280C2
Celoron, New York	237A
Wells, Texas	234C2, 254A
Laona, Wisconsin	272C3

4. IT IS FURTHER ORDERED, That the Secretary of the Commission shall send by Certified Mail, Return Receipt Requested, a copy of this Order to the following:

John F. Garziglia, Esq.  
Mark Blacknell, Esq.  
Womble Carlyle Sandridge & Rice, PLLC  
1401 Eye Street, N.W. – Seventh Floor  
Washington, D.C. 20006  
(Counsel for Results Broadcasting of Iron Mountain, Inc.)

Linda A. Davidson

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Dana J. Puopolo  
2134 Oak Street, Unit C  
Santa Monica, CA 90405

Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205

5. A filing window for these allotments will not be opened at this time. Instead, the issue of opening these allotments for auction will be addressed by the Commission in a subsequent order.

6. IT IS FURTHER ORDERED, That these proceedings ARE TERMINATED.

7. For further information concerning a specific docket, contact the FCC Contact listed above for that docket.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau